



NCLB Liaison Team

NCLB and Students with Disabilities

- Definitions of Students with Disabilities
- Demographics
- NCLB and Students with Disabilities



Definitions

P.L. 107-110 – No Child Left Behind

20 USC 7801(5) or SEC. 9101(5)

(5) CHILD WITH A DISABILITY – The term ‘child with a disability’ has the same meaning given that term in section 602 of the Individuals with Disabilities Education Act.

P.L. 105-17 – Individuals with Disabilities Education Act Amendments of 1997

20 USC 1401(3)(A) or SEC 602(3)(A)(ii), (ii)

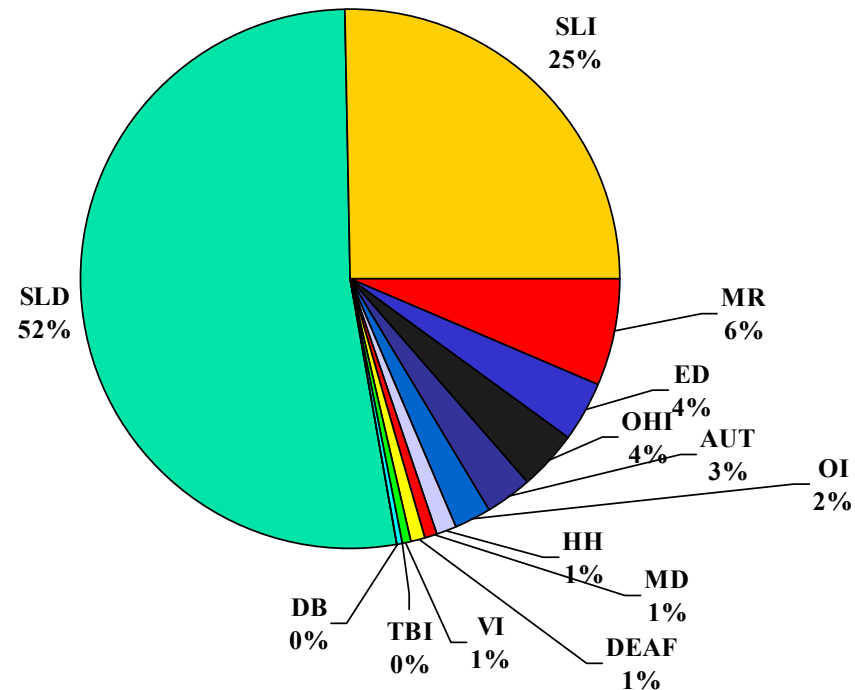
(3) CHILD WITH A DISABILITY, -

(A) IN GENERAL, - The term ‘child with a disability means a child –

- (i) With mental retardation, hearing impairments (including deafness), speech or language impairment, visual impairment (including blindness), serious emotional disturbance (hereinafter referred to as ‘emotional disturbance’), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and
- (ii) Who, by reason thereof, needs special education and related services.

California Special Education Enrollment by Disability, 2001

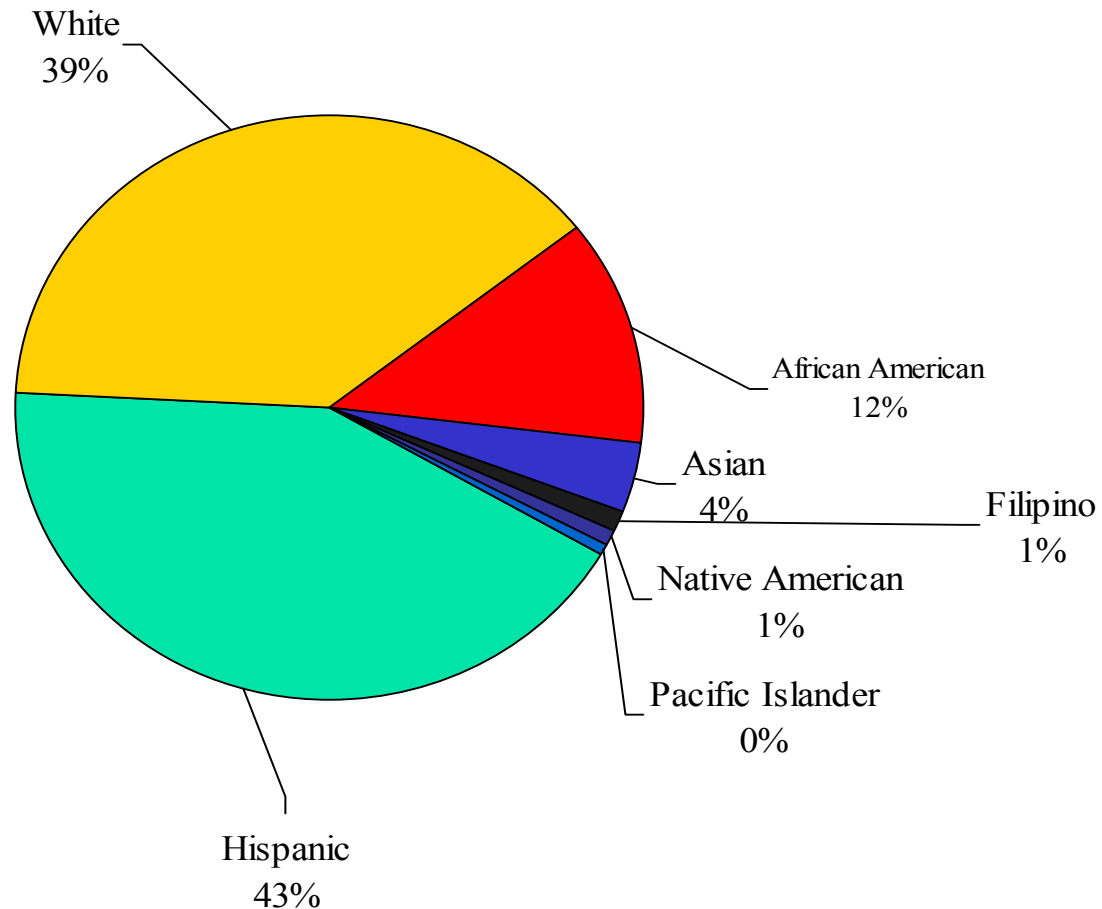
AUT Autism
DB Deaf-Blindness
DEAF Deaf
ED Emotional Disturbance
HH Hard of Hearing
MD Multiple Disabilities
MR Mental Retardation
OHI Other Health Impairment
OI Orthopedic Impairment
SLD Specific Learning Disability
SLI Speech or Language Impairment
TBI Traumatic Brain Injury
VI Visual Impairment



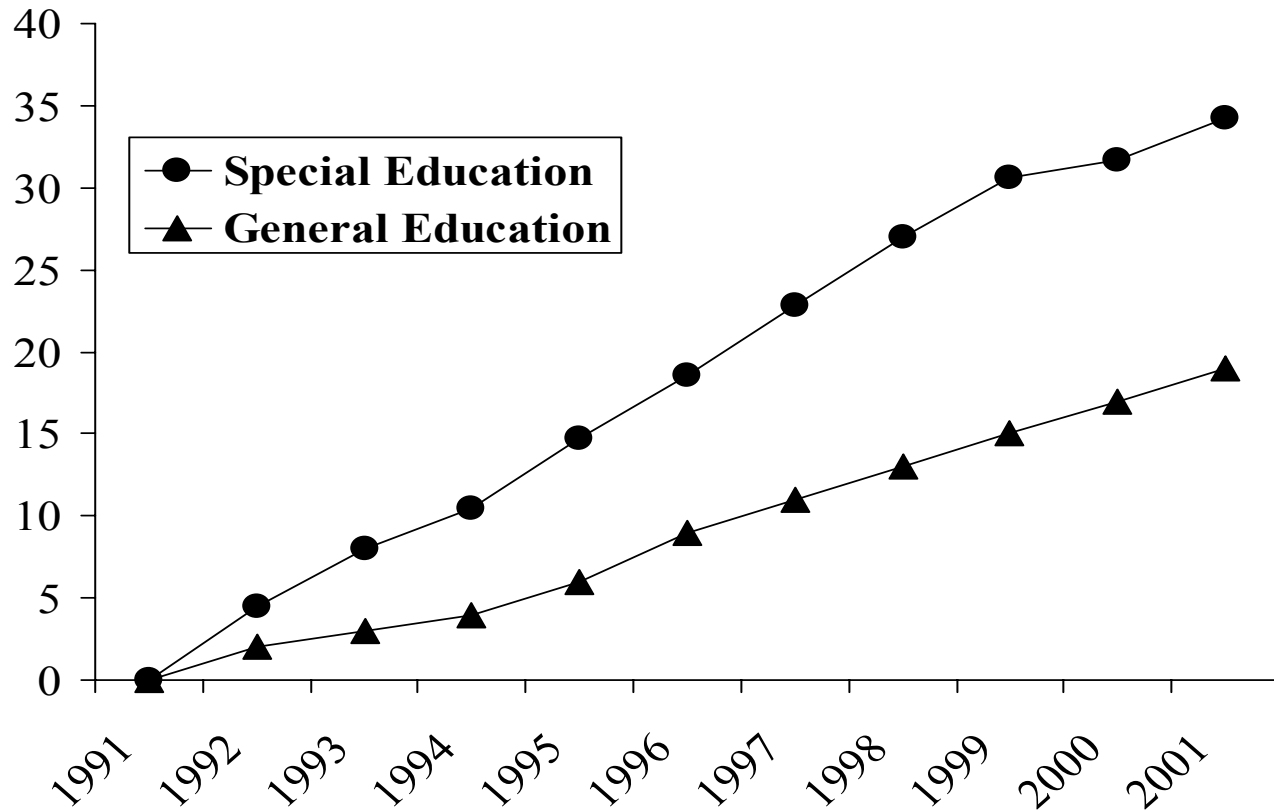
California Special Education Enrollment by Grade, 2001

Infant	5,236
Preschool	36,582
Kindergarten	27,251
Grade 1	35,665
Grade 2	43,299
Grade 3	50,342
Grade 4	54,238
Grade 5	56,761
Grade 6	57,423
Grade 7	55,441
Grade 8	52,286
Grade 9	51,957
Grade 10	47,169
Grade 11	40,068
Grade 12	34,276
12+ /Transition	5,621
Ungraded	9,605
Total	663,220

Special Education Enrollment by Ethnic Category, in California, 2001



Growth in General (K-12) and Special Education (Ages 5-21) in California, 1991-2001



About 1 out of every 10 students receive special education services (9.9%)



Assessment and Accountability Issues

- Who serves the child - who is accountable for the results?
- Accountability and children with disabilities
- The proposed “three tier” definition of specific learning disabilities



Who serves the child?

- Children with disabilities are not evenly distributed across school sites.
- In a given school, services for children with disabilities may be the responsibility of a variety of districts and programs, not necessarily based on the school where the child attends -

Children with Disabilities Served at Greenacre School, AAA Unified			
	<u>District of Residence</u>	<u>District of Service</u>	<u>Attendance Area</u>
Child A	AAA Unified	AAA Unified	Greenacre
Child B	AAA Unified	AAA Unified	Natole
Child C	BBB Elementary	AAA Unified	---
Child D	AAA Unified	RRR County Office of Education	Greenacre
Child E	BBB Elementary	RRR County Office of Education	---



Who is accountable?

- For 2003, STAR scores are attributed to the school site, if that school site is the regular school of attendance for that child. Otherwise, the scores are attributed to the district of residence, at the district level, or to the County Office of Education (COE) if the COE is the provider of service.

Children with Disabilities Served at Greenacre School, AAA Unified				
	<u>District of Residence</u>	<u>District of Service</u>	<u>Attendance Area</u>	<u>Who gets the scores</u>
Child A	AAA Unified	AAA Unified	Greenacre	Greenacre
Child B	AAA Unified	AAA Unified	Natole	AAA Unified
Child C	BBB Elementary	AAA Unified	---	BBB Elementary
Child D	AAA Unified	RRR County Office of Education	Greenacre	RRR County Office of Education
Child E	BBB Elementary	RRR County Office of Education	---	RRR County Office of Education



Accountability and children with disabilities

- Under IDEA, all children with disabilities must participate in state or district wide assessment programs – there are no parental waivers
- The child's IEP must indicate whether the child will take the test with accommodations, without accommodations, or take the alternate assessment – CAPA is the alternate assessment.
- There is concern that:
 - schools may not want to house classes of children with disabilities, particularly severe disabilities
 - AYP may be a disincentive to move children out of special education, thereby lowering the AYP for the remaining group of disabled students
 - Supplementary services may not mesh with FAPE and IEP requirement
- IDEA reauthorization is expected to provide more clarification of issues related to accountability – AYP, alternate assessments/standards, supplementary services, highly qualified staff.



Three tier definition of learning disabilities

- Children with specific learning disabilities are one half of the special education population
- Definition is likely to change in IDEA reauthorization. The three tier definition is currently a highly favored approach –
 - Tier 1 (kindergarten/1st grade) – universal screening and enriched instruction for those with needs.
 - Tier 2 (1st/2nd grade) - children who do not benefit from enriched instruction are assessed more closely and receive small group, scientifically-based instruction.
 - Tier 3 (2nd/3rd grade) – children who do not learn from small group, enriched instruction are assessed for special education eligibility.
- Is expected to change the complexion of the special education population. Will have an impact on both regular and special education.